

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DONALD J. TRUMP, DONALD J. TRUMP JR.,
ERIC TRUMP, IVANKA TRUMP,

and

THE DONALD J. TRUMP REVOCABLE
TRUST, THE TRUMP ORGANIZATION,
INC., TRUMP ORGANIZATION LLC, DJT
HOLDINGS LLC, DJT HOLDINGS
MANAGING MEMBER LLC, TRUMP
ACQUISITION LLC, and TRUMP
ACQUISITION, CORP.,

Plaintiffs,

v.

DEUTSCHE BANK AG and CAPITAL ONE
FINANCIAL CORP.,

Defendants,

and

COMMITTEE ON FINANCIAL SERVICES
OF THE U.S. HOUSE OF
REPRESENTATIVES and PERMANENT
SELECT COMMITTEE ON
INTELLIGENCE OF THE U.S. HOUSE OF
REPRESENTATIVES,

Intervenor-Defendants.

Docket No. 1:19-cv-03826-ER

**DEFENDANT CAPITAL ONE FINANCIAL CORPORATION'S STATEMENT OF
POSITION AS TO PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

Defendant Capital One Financial Corporation (“Capital One”), through its counsel, Murphy & McGonigle, PC, provides the following statement of its position as to Plaintiffs’ Motion for a Preliminary Injunction, in advance of oral argument scheduled for May 22, 2019 at 2:30 p.m.

On May 3, 2019, the Court granted the motion of the United States House of Representatives’ Committee on Financial Services and the Permanent Select Committee on Intelligence (the “Committees”) to intervene as Defendants in this action. Plaintiffs seek to enjoin the Committees from enforcing subpoenas that were issued by the Committees, and to enjoin Capital One from complying with the subpoena issued to it. The subpoena issued to Capital One, by its terms, compels Capital One to produce certain documents in its possession. Although Capital One is the recipient of a subpoena issued by the Committee on Financial Services, the dispute in this action is between Plaintiffs and the Committees. Accordingly, Capital One takes no position on the merits of Plaintiffs’ Motion for Preliminary Injunction.

Respectfully submitted,

Dated: May 10, 2019
New York, New York

MURPHY & MCGONIGLE, P.C.

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